



92-00/3683

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UNITED STATES PATENT AND TRADEMARK OFFICE

Examiner: Pamela J. Rodriguez Art Unit: 3683
Re: Application of: Shinpei NAMIKI
Serial No.: 10/074,905
Filed: November 13, 2001
For: DAMPER AND METHOD OF
FABRICATING THE DAMPER

PETITION TO WITHDRAW HOLDING OF
ABANDONMENT UNDER 37 C.F.R. 1.181

Commissioner for Patents
Box DAC
Washington, DC 20231-0001

March 26, 2003

Dear Sir:

Applicant hereby requests withdrawal of the holding of abandonment under 37 CFR 1.181 and in support thereof shows the following:

1. A Notice of Abandonment dated March 14, 2003 was received by Applicant's attorney on March 19, 2003. A copy of the Notice of Abandonment is enclosed herewith. According to the Notice of Abandonment, a response to the Office Action issued on August 14, 2002 was never received by the USPTO. However, Applicant's attorney hereby advises that a response to the August 14, 2002 Office Action was filed with the USPTO on November 14, 2002. A copy of the response as filed is enclosed herewith.

I hereby certify that this correspondence and/or fee is being deposited with the U.S. Postal Service as first class mail in an envelope addressed to "Commissioner for Patents, Washington, DC 20231-0001" on March 26, 2003

STEINBERG & RASKIN, P.C.

By: Ynette M. Pherson

2. Applicant's Attorney hereby advises as follows:

a. Applicant's Attorney filed a timely response to the Office Action on November 14, 2002, the response including a certificate of mailing indicating that the response was deposited with the United States Postal Service as first class mail on November 14, 2002;

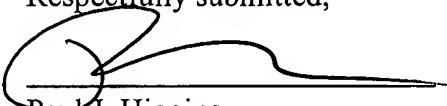
b. Applicant's Attorney has conducted a search of the file jacket and docket records of Attorney Docket No. 972.1074 (U.S. Patent Application No. 10/074,905) and has verified that a Response to the Office Action of August 14, 2002 was deposited with the United States Postal Service as first class mail on November 14, 2002;

c. Applicant's Attorney also attaches hereto a copy of the postcard filed with the Response, the postcard indicating that the Response was filed on November 14, 2002; and

d. Applicant's Attorney further attaches hereto a copy of the Attorney's docket sheet indicating the Patent Office filings made on November 14, 2002, the docket sheet reflects that a Response was filed in connection U.S. Patent Application No. 10/074,905 (Attorney's docket no. 972.1074).

Attorney Docket No.: 972.1074

Applicant's Attorney hereby asserts that this petition is timely and that no petition fee is required. In the event any fee is required for this petition, the Commissioner is hereby authorized to charge any deficiency or credit any overpayment to Deposit Account No. 500518. A duplicate copy of this letter is enclosed.

Respectfully submitted,
By: 
Paul J. Higgins
Reg. No. 44,152

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